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Attorneys for Secured Creditor: U.S. BANK TRUST,  
N.A., AS TRUSTEE FOR LSF9 MASTER  
PARTICIPATION TRUST

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

In Re:

ENRICO BENCIVENGA A/K/A ENRICO G.  
BENCIVENGA, JR A/K/A HARRY BENCIVENGA



Order Filed on September 28,  
2017 by Clerk, U.S. Bankruptcy  
Court - District of New Jersey

Case No: 17-14487 - SLM

Hearing Date: 09/27/2017

Judge: Stacey L. Meisel

### ORDER RESOLVING OBJECTION TO CONFIRMATION

The order set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: September 28, 2017**

A handwritten signature in cursive script, reading "Stacey L. Meisel", is written over a horizontal line.  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE:

ENRICO BENCIVENGA A/K/A  
ENRICO G. BENCIVENGA, JR  
A/K/A HARRY BENCIVENGA

CASE NO. 17-14487 - SLM

CHAPTER 13

Debtor

ORDER RESOLVING  
OBJECTION TO CONFIRMATION

HEARING DATE: 09/27/2017

This Order pertains to the property located at 1 Smith And Railroad Avenue, A/K/A 17 Railroad Avenue, Andover, NJ 07821, mortgage account ending with "3950";

THIS MATTER having been brought before the Court by STEPHEN B. MCNALLY, Esquire attorney for Debtor, ENRICO BENCIVENGA upon the filing of a Chapter 13 Plan, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST by and through its attorneys, Phelan Hallinan Diamond & Jones, PC having filed an Objection to the Confirmation of said Chapter 13 Plan and the parties having subsequently resolved their differences; substance and entry of the within Order; and for other and good cause shown:

1. U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST has filed a valid, secured Proof of Claim in the amount of **\$161,634.15** (claim no. 2).

2. The Trustee is authorized not to pay the secured arrearage claim of U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST in the amount of **\$161,634.15 (claim no. 2)**, so Debtor can apply and potentially complete a loan modification. Should the Debtor qualify for a loan modification, the loan modification must be approved no later than **November 30, 2017**.

3. If Loan Modification is approved, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST shall file an Amended Proof of Claim showing the amount of arrears paid to date by the Trustee.

4. If a loan modification is not approved by **November 30, 2017**, the Debtor shall do one of the following: 1) file a Modified Plan to cure the arrearage claim of Movant; or 2) file a Modified Plan to surrender the property subject to said claim; or 3) a Notice to Convert to Chapter 7; or 4) a Notice to Dismiss Case.

5. Debtor is required to make their full regular ongoing mortgage payment to Secured Creditor pending the loan modification review and said payments are subject to a 30-day default clause. Debtor acknowledges that the monthly post-petition mortgage payment amount is subject to change in accordance with the terms of the note and mortgage. Debtor will resume making regular monthly mortgage payments September 1, 2017, said payments are subject to a 30 day default clause.

6. This Order shall be incorporated in and become a part of any Order Confirming Plan in the herein matter.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Enrico Bencivenga  
Debtor

Case No. 17-14487-SLM  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 28, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 30, 2017.

db +Enrico Bencivenga, 124 Overlook Road, Newton, NJ 07860-9772

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 30, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 28, 2017 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc. bkecf@milsteadlaw.com, alubin@milsteadlaw.com  
Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC cwohrlab@logs.com, njbankruptcynotifications@logs.com  
Denise E. Carlon on behalf of Creditor US Bank National Association, not in its individual capacity but solely as Trustee on behalf of OWS REMIC Trust 2015-1 dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com  
Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
Stephen B. McNally on behalf of Debtor Enrico Bencivenga steve@mcnallylawllc.com, sue@mcnallylawllc.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9